

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CYBERFONE SYSTEMS, LLC,

Plaintiff,

v.

AMAZON.COM INC., ET AL.,

Defendant.

C.A. No. 11-831 (SLR)

STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

Plaintiff, Cyberfone Systems, LLC and defendant Starwood Hotels & Resorts Worldwide, Inc., pursuant to Fed. R. Civ. P. 41(a)(2) and (c), hereby move for an order dismissing all claims and counterclaims in this action WITH PREJUDICE, subject to the terms of that certain agreement entitled “**PATENTS IN SUIT SETTLEMENT AGREEMENT**” and dated March 20, 2012, with each party to bear its own costs, expenses and attorneys’ fees.

BAYARD, P.A.

DLA PIPER LLP (US)

/s/ Stephen B. Brauerman

Rich D. Kirk (No. 0922)

Stephen B. Brauerman (No. 4952)

222 Delaware Avenue, Suite 900

Wilmington, DE 19899

(302) 429-4232

rkirk@bayardlaw.com

sbrauerman@bayardlaw.com

Attorneys for Plaintiff CyberFone Systems, LLC

/s/ Aleine M. Porterfield

Denise S. Kraft (No. 2778)

Aleine M. Porterfield (No. 5053)

919 N. Market Street

Suite 1500

Wilmington, DE 19801

302.468.5645

denise.kraft@dlapiper.com

aleine.porterfield@dlapiper.com

*Attorneys for Defendant Starwood Hotels &
Resorts Worldwide, Inc.*

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ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims and counterclaims asserted between plaintiff, Cyberfone Systems, LLC, and defendant, Starwood Hotels & Resorts Worldwide, Inc., in this case, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims asserted in this suit between plaintiff, Cyberfone Systems, LLC, and defendant, Starwood Hotels & Resorts Worldwide, Inc., are hereby dismissed with prejudice, subject to the terms of that certain agreement entitled “**PATENTS IN SUIT SETTLEMENT AGREEMENT**” and dated March 20, 2012.

It is further ORDERED that all attorneys’ fees and costs are to be borne by the party that incurred them.

The Honorable Sue L. Robinson
United States District Judge